

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the matter of)	
)	
Implementation of Section 621(a)(1) of the Cable)	
Communications Policy Act of 1984 as amended)	MB Docket No. 05-311
by the Cable Television Consumer Protection and)	
Competition Act of 1992)	
)	

**COMMENTS OF
The City of Seattle
IN RESPONSE TO THE FURTHER NOTICE
OF PROPOSED RULEMAKING**

The City of Seattle submits these comments in response to the Further Notice of Proposal Rulemaking, released March 5, 2007, in the above-captioned rulemaking (“Further Notice”).

1. The Office of Cable Communications is the local franchising authority for the City of Seattle. Seattle residents are served by Comcast (franchise expiration date January 20, 2016) and Millennium Digital Media (franchise expiration date March 1, 2008).

2. The City of Seattle supports and adopts the comments of the National Association of Telecommunications Officers and Advisors, the National League of Cities, the National Association of Counties, the U.S. Conference of Mayors, the

Alliance for Community Media, and the Alliance for Communications Democracy, filed in response to the Further Notice.

3 The City of Seattle would also like to state its opposition to the Further Notice's tentative conclusion (at ¶ 140) that the findings made in the FCC's March 5, 2007, Order in this proceeding should apply to incumbent cable operators, whether at the time of renewal of those operators' current franchises, or thereafter. We object to this proceeding because we believe that the stated intent of the Order is to facilitate entry by new entrants. We fail to see how applying this Order to incumbents would be relevant to that goal.

4, In the matter of incumbents, we believe that the FCC has exceeded its authority and issued regulations in conflict with several provisions of the Cable Act (47 U.S.C. §521). The cable franchise process has worked well in Seattle in balancing the need to respond to the interests of our residents and, at the same time, providing a healthy business climate for cable operators.

5. With the cooperation of our incumbent cable operators, Seattle enjoys among the most comprehensive consumer service and privacy regulations in the country. Although we cannot claim all the credit, our Comcast system was awarded the 2006 Cable System of the Year award, due, in some measure, from required customer satisfaction in our city. Accordingly, Seattle strongly supports the Further Notice's tentative conclusion (at para. 142) that Section 632(d)(2) (47 U.S.C. § 552(d)(2)) prohibits the FCC from "preemption of state or local customer service laws that exceed the Commission's standards," and from "preventing LFAs and

cable operators from agreeing to more stringent [customer service] standards” than the FCC’s.

Respectfully submitted,

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